

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

WHITLEY PRICE

PLAINTIFF

v.

CIVIL ACTION NO. 3:20-CV-00253-GHD-RP

AJINOMOTO FOODS
NORTH AMERICA, INC.

DEFENDANT

ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANT'S MOTION TO DISMISS

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Defendant's motion to dismiss [Doc. No. 4] is GRANTED IN PART and DENIED IN PART;
- (2) the portion of the motion seeking dismissal of the Plaintiff's claims for negligent acts - negligent hiring, supervision, training, and retention (Count Three of the Complaint) and negligent infliction of emotional distress (part of Count Four of the Complaint) - is GRANTED and those claims are DISMISSED WITH PREJUDICE;
- (3) the remainder of the Defendant's motion is DENIED; and
- (4) the Plaintiff's claims under the Family and Medical Leave Act, the Families First Coronavirus Response Act, and the Plaintiff's state law claim for intentional infliction of emotional distress shall PROCEED.

SO ORDERED, this, the 5th day of August, 2021.



SENIOR U.S. DISTRICT JUDGE